

**ENTERED**

February 23, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROBERT ALAN FRATTA,

Petitioner,

VS.

BOBBY LUMPKIN,

Respondent.

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CIVIL ACTION NO. 4:13-CV-3438

**ORDER**

The attorneys appointed to represent Texas death row inmate Robert Alan Fratta filed a motion for relief under Rule 60(b) of the Federal Rules of Civil Procedure. On January 21, 2021, the Court denied that motion. (Docket Entry No. 145). Fratta's attorneys have filed a notice of appeal. (Docket Entry No. 149). Fratta has now filed a *pro se* motion which challenges this Court's January 21, 2021 Order on several grounds. (Docket Entry No. 148). Fratta has also submitted copies of letters that he has written to his attorneys. (Docket Entry Nos. 146, 147).

An appeal is the proper vehicle for challenging the denial of Fratta's Rule 60(b) motion. Moreover, this Court has never permitted hybrid representation in this case. On that basis, the Court has cautioned Fratta that all *pro se* filings will be stricken from the record. (Docket Entry No. 135). Accordingly, the Court **DIRECTS** the Clerk to **STRIKE** Fratta's most recent *pro se* filings. (Docket Entry Nos. 146, 147, 148).

SIGNED at Houston, Texas this 23<sup>rd</sup> day of Feb, 2021.



Andrew S. Hanen  
United States District Court Judge